

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

4/19/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 03-00309DAE
CASE NAME: USA v. Guy Kino Shigemasa
ATTYS FOR PLA: Clare Connors
ATTYS FOR DEFT: Pamela O'Leary Tower
USPO: Terry Longboy-Healy

JUDGE: David Alan Ezra

REPORTER: Cynthia Fazio

DATE: 4/19/2006

TIME: 2:30pm-3:30pm

COURT ACTION: EP: Sentencing to Count 2 of the Indictment as to Defendant Guy Kino Shigemasa.

Defendant Guy Kino Shigemasa present, not in custody.

Memorandum of plea agreement accepted.

Presentence Report adopted. Sentencing recommendations heard. Allocution by Defendant Guy Kino Shigemasa.

SENTENCE:

Imprisonment: 30 MONTHS

Supervised Release: 3 YEARS

CONDITIONS:

1. Defendant shall abide by the standard conditions of supervision.
2. Defendant shall not commit any federal, state, or local crimes.
3. Defendant shall not possess illegal controlled substances.

4. Defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. Defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter, but no more than 8 valid drug tests per month during the term of supervised release, as directed by the Probation Office.
6. Defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
7. Defendant shall participate in a mental health program, which may include an approved program for domestic violence, at the discretion and direction of the Probation Office.
8. Defendant shall participate in a substance abuse program, which may include drug and alcohol testing, at the discretion and direction of the Probation Office. Defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
9. Defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

Special Assessment: \$100.00.

JUDICIAL RECOMMENDATIONS: 1) Hospital in Springfield, MO. 2) Terminal Island, CA. Drug treatment. Mental health treatment. Vocational and educational opportunities.

Defendant advised of his right to appeal.

Mittimus is stayed until 7/10/2006.

Defendant to self-surrender @2:00 p.m. on 7/10/2006 at the facility designated by the Bureau of Prisons. The time is the time at the facility.

Current bail conditions of release to continue.

Government's Oral Motion to dismiss all remaining counts as to this defendant only-
GRANTED.

Submitted by: Theresa Lam, Courtroom Manager